

New Hampshire Special Education Program Approval Report

SAU 3

R. Bruce Mackay, Superintendent

Final Report

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Visit Conducted on:

March 16 and 17, 2000

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New Hampshire Special Education Program Approval Report

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(Commendations, Citations and Suggestions for each school)

Note: *It should be noted that suggestions are not considered corrective actions and therefore are given as technical assistance. The district is not mandated to implement them.*

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I. INTRODUCTION:

A New Hampshire Department of Education Special Education Program Approval visit was conducted in SAU 3 comprised of the following schools: Preschool Program, Bartlett Elementary School, Brown Elementary School, Hillside Elementary School, Berlin Junior High School and Berlin High School. The visiting team met on March 16 and March 17, 2000 in order to review the status of special education services being provided to eligible students.

Activities related to this evaluation included the close review of all the teaching certifications of special education staff, analysis of SPEDIS data and random inspection of student records. Interviews were held with the Superintendent, Special Education Director, building principals, regular and special education teachers, and related service personnel as time and availability permitted. In addition, the team conducted parent interviews via telephone. Throughout the visit, the team had full cooperation from the school personnel and this helpfulness was greatly appreciated.

The report that you are about to read represents the consensus of all the members of the visiting team. Please keep in mind that this is a "report for exception", meaning that only exceptions to the NH State Standards have been addressed. If a component is not mentioned, that does not mean that the team did not review it; it just means that there were no citations of noncompliance to the Standards found in that particular area.

II. STATUS OF PREVIOUS ON-SITE: *Conducted on October 11-12, 1993*

It is apparent that most of the issues brought up in the previous program approval visit have been addressed. The visiting team was favorably impressed with the Special Education Plan and all the new forms that have been revised to meet new standards. Space continues to be an issue as it was in 1993. One school was closed (Marsten Elementary School) and another school opened (Hillside Elementary School), but the need for adequate space for both regular and special education programs remains. A recent study conducted for the SAU included recommendations for change, but the school district has not attempted to rectify space needs.

Documentation and organization of special education files remains an issue, with many files missing required federal and state components. New forms have been developed and this is commendable, but this issue of compliance still exists. The district is commended for the small number of out-of-district students, however out-of-district files were missing components. This issue included one out-of-district private school that did not have a copy of the student's IEP, although the student had been placed at the facility for almost two months. (The special education administrator had a copy of the IEP faxed to the private school, and a telephone call to the school by the review team chairperson confirmed that it was received and that the student was receiving services.)

Over the last six years, the district had made excellent progress in the providing professional development opportunities to staff. Workshops have been offered for both regular and special education staff, including

paraprofessionals. A program was established with the College for Lifelong Learning to allow paraprofessionals to take the courses needed to earn certification. Continuing collaboration with the College for Lifelong Learning and North Country Educational Foundation (NCEF) provides training and in-service programs. All professional staff, as well as most of the paraprofessional staff are certified in the areas in which they work.

Overall, SAU 3 had made significant growth in program improvements, including many innovative programs, since the 1993 compliance visit. The attitude of staff is enthusiastic and the collaboration of all parties is strong. Each building conveys a warm and caring attitude for all children to learn, and includes strong programming for all children. Inclusionary practices are evident in each building. The team would like to recognize and reinforce the philosophy, vision and goals that each school is working toward and commend them for their support of quality services to all children.

III. ISSUES OF SIGNIFICANCE:

Although SAU 3 has made significant progress and has instituted many innovative programs for students, there are still two areas of concern as identified by the visiting team. Continuing concern identified by the team is for appropriate space for special education programs, including space for related service personnel in all buildings. In two buildings, team members indicated evidence that least restrictive environment was not considered as part of IEP planning. As in the 1993 report, provisions need to be made to ensure that there is adequate space, including no physical barriers, for the instruction of educationally disabled students and that the instructional areas be in the least restrictive environment.

During the current compliance visit, very few students were out of compliance, however, a large number of required components were missing from files. There was no evidence in many files that procedural safeguards were given to parents with notices, many evaluations were not done within the required timeframe, composition of teams were not appropriate, there was no evidence that progress was measured, and some files did not include measurable goals. The special education department has recently completed an excellent group of new forms and procedures, but not all building staff are using them. Establishment of a systematic process for organizing files, for keeping files in the building of the student and for documenting compliance is needed.

Throughout the program approval visit, the review team was impressed with the efforts of all staff to provide quality programming to all students. An atmosphere of caring, support, dedication and mutual respect for students and staff was evident to the visiting teams in each school. Paraprofessionals are used throughout the SAU and are viewed as a major support system to the special education staff. Overall, the program approval team commends SAU 3 for quality services made available to all students.

IV. COMMENDATIONS, CITATIONS AND SUGGESTIONS: SAU-WIDE

COMMENDATIONS:

- Collaboration, which is evident among people in buildings, between buildings and between area SAUs.
- In each of the buildings, there is administrative support and involvement in the special education process.
- The special education administrator was commended by those interviewed as having the skills needed to collaborate, develop programs, provide support and encourage growth among his team.
- In-service training program for paraprofessionals.
- The collaboration of area special education administrators and development of the Regional Interagency Collaborative. This group has written grants, which promote systems change and brings additional services and service providers into the SAU.
- The STEP program, while not a special education program, supports and provides life skills and vocational programming for high school special needs students.
- Small number of out-of-district students. This is evidence of the district's commitment to providing inclusion within schools and to least restrictive programming.
- Special Education teacher in the junior high school and high school who teach regular education classes as well as special education classes.
- Innovative practices at the high school, which include peer tutoring, life skills and self-advocacy skills to special education students.

CITATIONS: (in numerical order)

The citations are listed by each school, in the following text.

SUGGESTIONS:

There are no SAU-wide suggestions. See individual reports for building suggestions.

PRESCHOOL PROGRAM

PROGRAM(S) VISITED: 1) Preschool Program

NUMBER OF FILES REVIEWED: 3 Files

COMMENDATIONS:

- There is excellent communication between special and regular education staff.
- Students are included into the regular preschool programs and are included in all activities.
- The staff keep daily records of progress and goals that the children need to work on
- The speech pathologist writes excellent progress reports.

CITATIONS: (in numerical order)

Ed. 1107.07(c)(3) 1 file: Lacked evidence of signature of LEA representative.

Ed. 1109.01(a) IEPs lacked statements of how the disability affects the child's involvement in regular education.

Ed. 1109.01(b) 1 file: OT goals and objectives were not included in the IEP for a student who receives this service.

CFR 300.346(i) 1 file: Behavior plan was not included in the IEP for a student whose behavior impedes learning.

SUGGESTIONS:

- The preschool programs would benefit from a special education teacher to oversee all the special needs student's programs.

BARTLETT ELEMENTARY SCHOOL

PROGRAM(S) VISITED: 1) Resource Room 2) Modified Regular

NUMBER OF FILES REVIEWED: 3 Files

COMMENDATIONS:

- Staff work at provided a learning environment that is pleasant and attractive.
- There are positive cooperative working relationships among all staff.
- This is a child centered educational community emphasizing student achievement.
- There is much support given by the building administration for teaching and learning.

CITATIONS: (in numerical order)

Ed. 1107.05 3 files: Evaluations were not completed within 45 days.

Ed.1109.01(a) 1 file: IEP did not include indication of how the disability affects the student's involvement and progress in the general curriculum.

Ed. 1109.11 3 files: Lacked evidence of systematic and regular monitoring of IEP goals and objectives.
3 files: Lacked evidence that parents were informed of annual goals at least as often as parents of non-disabled children.

Ed. 1115.06 3 files: Lacked evidence that least restrictive environment was discussed.

SUGGESTIONS:

- A systematic and succinct method of documentation would make it very clear in the files that 1) parental involvement is evident at all stages, 2) the special education process is followed, and 3) IEPs are regularly and systematically monitored.
- Consideration of more inclusive instructional practices to insure placement in the least restrictive environment and access to regular education curriculum.
- The district should review the access barriers and space limitations, which detract from proper delivery of special education services.

BROWN ELEMENTARY SCHOOL

PROGRAM(S) VISITED: 1) Resource Room 2) Resource/Special Needs 3) Modified Regular

NUMBER OF FILES REVIEWED: 2 Files

COMMENDATIONS:

- Cooperative staff working together for the benefit of all students.
- The educational community is child-centered and emphasizes student achievement.
- The learning environment is pleasant and attractive.
- The building administration is supportive of staff and programs.

CITATIONS: (in numerical order)

Ed. 1109.04 1 file: Notice of procedural safeguards given to parents not documented.

Ed. 1109.01(a) 1 file: Present levels of performance did not include educational needs (only related services).

Ed. 1109.01(i) 1 file: objective criteria and evaluation procedures and schedules for other than related services not included.

Ed. 1109.11 1 file: Lacked evidence of regular and systematic monitoring of IEP goals and objectives.
1 file: Lacked evidence that parents were informed of annual goals at least as often as parents of non-disabled children.

SUGGESTIONS:

- Consideration should be given to examining practices that are more inclusive to insure placement in the least restrictive environment and access to the regular education curriculum.
- It is recommended that the staff use the forms and documents in the revised SAU# 3 special education plan to insure proper documentation of the process and service delivery.
- As the district addresses the space limitations in all buildings, particular attention should be given to the physical barriers in the building.

HILLSIDE ELEMENTARY SCHOOL

PROGRAM(S) VISITED: 1) Resource Room 2) Modified Regular 3) Inclusion

NUMBER OF FILES REVIEWED: 5 Files

COMMENDATIONS:

- Paraprofessionals are included on the staff development committee.
- There is greater acceptance of students with severe behavior issues. Parents, teachers, specialists and administration is receiving appropriate training in this area.
- Collaboration between mental health agency and North Country Education Foundation is beneficial.
- There is ongoing communication and planning time for the special education teachers and aides.
- Daily meetings between regular and special education teachers is commended.

CITATIONS: (in numerical order)

Ed. 1107.03 2 files: Lacked evidence of LD certified teacher on evaluation team. Signature on LD summary and diagnostic summary did not match.
1 file: Lacked evidence of current evaluations.
1 file: Lacked evidence of evaluation team meeting.

Ed. 1107.05 2 files: Evaluation not conducted within 45 days and no evidence of signed extension.
1 file: Testing was completed by outside source, but no diagnostic summary or reference to it at meeting.
1 file: Permission to test noted as verbal, no signed permission to test in file.
5 files: Lacked evidence of signed extensions by parents.

Ed.1107.06 2 files: No current evaluation summary in file.

Ed. 1107.07(c) 2 files: No evidence of LD certified staff present at evaluation meeting.

Ed. 1107.08(e) 2 files: Lacked signatures on written summary.

Ed. 1109.01(f) 2 files: IEP lacked evidence of modifications or statement that none were required.

Ed. 1109.01(g) 1 file: Projected dates and duration of services not included in IEP.

Ed. 1109.03 1 file: Lacked evidence that regular education teacher was present at meeting.
1 file: Lacked evidence that parent was present at meeting.
1 file: Lacked evidence that LEA representative was present at meeting.

Ed. 1109.04 4 files: No evidence that procedural safeguards were given to parents at each notice of IEP meeting.

HILLSIDE ELEMENTARY SCHOOL, Continued

Ed. 1109.11 5 files: Lacked documentation of regular and systematic monitoring of the IEP.
5 files: Lacked documentation of progress reports and no evidence of regular and systematic monitoring of IEP goals.

Ed. 1125.04 2 files: Lacked evidence of permission to test.
1 file: Permission to test was verbal, no evidence that testing was completed.
1 file: Permission to test was 3 years old.

CFR 300.347(a) 1 file: Did not contain current IEP.
3 files: Lacked clear statement of present levels of performance.

CFR 300.346(iii) 4 files: No reference was made to consideration of NHEIAP.

SUGGESTIONS:

- Consider revising the filing system to ensure proper documentation and provide for organization of paperwork. Progress reports and other documentation needs to be kept at the school office.
- Review practices to ensure staff appropriateness at meetings, adherence to timelines and completeness of special education paperwork.
- Larger classroom space is needed for group work.
- Lower staff to student ratio. If regular classrooms were smaller, they could incorporate more special needs with paraprofessional assistance.
- Staff would benefit from training in working with children who exhibit emotional/behavioral issues.
- Improved communication between administration and special education staff regarding discipline issues is suggested.

BERLIN JR. HIGH SCHOOL

PROGRAM(S) VISITED: 1) EH Classroom 2) Modified Regular Classroom

NUMBER OF FILES REVIEWED: 4 Files

COMMENDATIONS:

- Staff are committed, dedicated, involved and supportive of all students.
- The advisory program keeps students actively involved with peers and community.
- There is excellent communication among all staff.
- The principal is supportive of staff, students and programs.

CITATIONS: (in numerical order)

<u>Ed.1107.02(b)</u>	4 files: Lacked evidence of immediate written notification of referral to parent.
<u>Ed.1107.02(d)</u>	4 files: Lacked evidence that parents were given notice of referral or written notice of disposition within 15 days.
<u>Ed.1107.05(k)</u>	4 files: Lacked evidence that evaluations were conducted within 45 days.
<u>Ed.1109.04</u>	4 files: Lacked evidence that procedural safeguards were given to parents at each notice of IEP meeting.
<u>Ed.1109.01(b)</u>	4 files: IEP lacked evidence of measurable annual goals with benchmarks or objectives.
<u>Ed.1109.01(d)</u>	2 files: IEP lacked expectation of regular class participation.
<u>Ed.1109.01(j)</u>	2 files: IEP lacked documentation of providers responsible for implementing IEP.
<u>Ed.1109.11</u>	4 files: Lacked documentation of regular and systematic monitoring of the IEP
<u>CFR 300.347(a)(4)</u>	3 files: Lacked explanation of the extent to which the child will not participate in regular classes.
<u>CFR 300.347(a)(7)(ii)</u>	2 files: Lacked statement of how progress will be measured. 4 files: Lacked evidence of how parents are informed of their child's progress toward annual goals.

SUGGESTIONS:

- Maintain files at the school building office rather than at the district office.
- Introduce and utilize new state forms for all students.
- IEPs need indication of regular progress updates and copies to parents.
- IEPs should include measurable, appropriate goals and objectives.

BERLIN HIGH SCHOOL

PROGRAM(S) VISITED: 1)

NUMBER OF FILES REVIEWED: 3 Files

COMMENDATIONS:

- There is excellent communication between regular and special education staff.
- The school is commended for innovative practices including peer tutoring, life skills and self-advocacy skills.
- All students are included in activities throughout the school.
- Special educators teach both regular and special education classes.
- Students are encouraged to attend IEP meetings.
- There is active parent involvement.
- Student records were well organized.
- Block scheduling provides more time in each area to allow for student learning.

CITATIONS: (in numerical order)

- Ed. 1107.07(c)(3) 1 file: Lacked evidence of signature of LEA representative.
- Ed.1109.04(a) 2 files: Lacked evidence of 10-day notice to parents of IEP meeting.
2 files: Parental safeguards were given at IEP meeting instead of with notice of meeting.
- Ed.1109.04(d) 1 file: Lacked documentation of need for transition services.
- Ed. 1109.01 1 file: IEP lacked many of the required IEP components.
- Ed.1109.01(d) 1 file: IEP lacked expectation of regular class participation.
- Ed.1109.01(j) 2 files: IEP lacked documentation of providers responsible for implementing IEP.
- Ed.1109.01(l) 3 files: IEP lacked transition statement.
- Ed.1109.01(n) 1 file: IEP lacked LEA representative signature.
- Ed. 1109.03 2 files: Lacked evidence that student's interest were taken into account.
2 files: Lacked evidence that LEA representative was present at meeting.
- Ed.1109.11 2 files: Lacked documentation of regular and systematic monitoring of the IEP
- Ed. 1123.04 1 file: Lacked evidence of record of disclosure.
- CFR 300.347(a)(4) 1 file: Lacked explanation of the extent to which the child will not participate in regular classes.
- CFR 300.347(a)(7)(ii) 1 files: Lacked statement of how progress will be measured and
2 files: Lacked evidence of how parents are informed of their child's progress toward annual goals.

BERLIN HIGH SCHOOL, Continued

SUGGESTIONS:

- Consider moving the life skills program out of the basement. Space was an issue for everyone interviewed.
- Provide transportation for errands, shopping and short field trips.
- Provide more supports for technology in the classroom.
- Provide more alternatives in the mainstream for special education students.

ADDENDUM

JAMES O. MONITORING PROGRAM

SAU 3

Student File Review

Case Study Document

Reimbursement Claim Form

Case Study Addendum Form

<p style="text-align: center;">ADDENDUM JAMES O. MONITORING PROGRAM</p>

SAU 3

NUMBER OF FILES REVIEWED: 3

COMMENDATIONS:

CITATIONS: (in numerical order)

While three files were reviewed, one student is in a public program in the town of residence, so James O. monitoring applies to only two students, who are placed in residential programs. One student is placed at Odyssey House, the other at Germain Lawrence School. There were major components of one file missing, and a call was made to assure that paperwork will be completed and that services are being provided.

SUGGESTIONS:

- Develop procedures to monitor out-of-district placements, particularly with respect to IEPs and paperwork being transmitted between programs in a timely fashion.